


IA7 Rec'd PCT/PTO 23 JAN 2006

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		CUSTOMER NO. 22,852 ATTORNEY'S DOCKET NUMBER 05788.0372 U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/538,875
INTERNATIONAL APPLICATION NO. PCT/EP2002/014482	INTERNATIONAL FILING DATE December 18, 2002	PRIORITY DATE CLAIMED
<b>TITLE OF INVENTION</b> MODULAR APPARATUS AND METHOD FOR DATA COMMUNICATION BETWEEN A DISTRIBUTION NETWORK AND A RESIDENTIAL NETWORK		
<b>APPLICANT(S) FOR DO/EO/US</b> Guido OLIVETI, Francesco SIMONELLI, and Giovanni TAGLIABUE		
Applicant(s) herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)).           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed with the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> </ol>		
<b>Items 11 to 20 below concern document(s) or information included:</b>		
<ol style="list-style-type: none"> <li>11. <input type="checkbox"/> Information Disclosure Statement under 37 CFR 1.97 and 1.98</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A Substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154 (d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information:           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> Copy of cover page of International Publication No.</li> <li>b. <input checked="" type="checkbox"/> Copy of Notification of Missing Requirements.</li> <li>c. <input checked="" type="checkbox"/> Response to Requirement for Additional Claim Fees.</li> <li>d. <input type="checkbox"/></li> </ol> </li> </ol>		

RECEIVED  
MAR -6 2006  
TECHNOLOGY CENTER 2800

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/538,875		INTERNATIONAL APPLICATION NO. PCT/EP2002/014482		ATTORNEY'S DOCKET NUMBER 05788.0372	
The following fees have been submitted:				CALCULATIONS	PTO Use Only
21. <input type="checkbox"/> BASIC NATIONAL FEE (37 CFR 1.492(a)).....\$300.00				\$	
22. <input type="checkbox"/> Examination fee (37CFR 1.492(c))					
If the Written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0				\$	
All other situations .....\$200					
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))					
If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....\$100					
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB .....\$400					
All other situations .....\$500					
<b>TOTAL of 21, 22 and 23 =</b>					
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	Rate		
- 100 =	/50=		x \$250.00	\$	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	- 20 =		x \$50.00	\$	
Independent Claims	-3 =		x \$200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+\$360.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$130.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				\$130.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest priority date (37 CFR 1.492(i)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$130.00	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$130.00	
				Amount to be refunded:	\$
				charged:	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>130.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-0916</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p> <p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p><b>SEND ALL CORRESPONDENCE TO:</b></p> <p>Finnegan, Henderson, Farabow, Garrett &amp; Dunner, L.L.P. 901 New York Avenue, N.W. Washington, DC 20001-4413</p> <p style="text-align: center;"> SIGNATURE</p> <p style="text-align: center;">Ernest F. Chapman Reg. No. 25,961 NAME/REGISTRATION NUMBER</p> <p>DATED: January 23, 2006</p>					

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
<b>Guido OLIVETI et al.</b>	)	
	)	Group Art Unit: <b>Not Yet Assigned</b>
Application No.: <b>10/538,875</b>	)	
	)	Examiner: <b>Not Yet Assigned</b>
Filed: <b>June 14, 2005</b>	)	
	)	
For: <b>MODULAR APPARATUS AND</b>	)	
<b>METHOD FOR DATA COMMUNICATION</b>	)	
<b>BETWEEN A DISTRIBUTION NETWORK</b>	)	
<b>AND A RESIDENTIAL NETWORK</b>	)	

**MAIL STOP PCT**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Sir:

**RESPONSE TO REQUIREMENT FOR ADDITIONAL CLAIM FEES**

In the notification dated November 23, 2005, the office indicated that additional claim fees of \$100.00 are required and that Applicants must submit the additional claim fees or cancel the additional claims for which fees are due.

It is respectfully submitted that no additional claim fees are due.

In a preliminary amendment filed with the application when applicants entered the National Phase on June 14, 2005, Applicants filed a Preliminary Amendment cancelling claims 1-12 and substituting new claims 13-24 therefor. New claim 24 is a multiple dependent claim for which Applicants paid the \$360.00 fee when the application was filed. By Applicants calculation, in the new claims,


there are 2 independent claims and 19 claims total which includes the 8 additional claims for multiple dependent new claim 24. Thus, no additional claim fees are due.

However, if the office maintains the position that additional claim fees of \$100.00 are still due, please charge the fee to our deposit account no. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: January 23, 2006

By:   
Ernest F. Chapman  
Reg. No. 25,961

Enclosures  
EFC/FPD/sci



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/538,875

FIRST NAMED APPLICANT

Guido Oliveti

ATTY. DOCKET NO.

05788.0372

INTERNATIONAL APPLICATION NO.

PCT/EP02/14482

I.A. FILING DATE

12/18/2002

PRIORITY DATE

22852

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER  
LLP901 NEW YORK AVENUE, NW  
WASHINGTON, DC 20001-4413

NOV 28 2005

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, LLP

Date Mailed: 11/23/2005

CONFIRMATION NO. 8854

371 FORMALITIES LETTER



\*OC000000017497115\*

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/14/2005
- Copy of the International Search Report filed on 06/14/2005
- Preliminary Amendments filed on 06/14/2005
- Information Disclosure Statements filed on 06/14/2005
- U.S. Basic National Fees filed on 06/14/2005

RECEIVED  
HHR-6 2005  
TECHNOLOGY CENTER 2800

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$100** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$230** for a Large Entity:

Docketed 11/28/05 Attorney ASS USDCase 05788-0372-00Due Date 1-23-06Action Decl./Schg.By RP

RTK

NOV 29 2005

- **\$130 Surcharge.**
- **Total additional claim fee(s) for this application is \$ 100**
  - **\$100 for 2 total claims over 20.**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/538,875	PCT/EP02/14482	05788.0372